

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
YAW ADDAE,

Plaintiff(s),

VERIFIED COMPLAINT

Index No:

-against-

CITY OF NEW YORK, NEW YORK CITY POLICE
OFFICER DONATO (Tax ID 948904) and NEW
YORK CITY POLICE OFFICER GREGES (Tax ID
949061),

Defendant(s).
-----X

Plaintiff, by and through his attorneys, **BELOVIN & FRANZBLAU, LLP**, as and for a verified complaint, respectfully allege as follows:

1. That all the times hereinafter mentioned, plaintiff was, and still is, a resident of the City and State of New York, County of Bronx.

2. At all the times herein, the defendant, **CITY OF NEW YORK**, was, and still is a duly licensed Municipal Corporation authorized to transact business in the City of New York, County of Bronx.

3. Upon information and belief, the defendant, **CITY OF NEW YORK**, employed **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, who were herein duly employed and acting New York City Police Officers (or other ranking officers) of the City of New York, County of Bronx,

State of New York and upon information and belief, the defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), were and still are, at all times herein mentioned, residents of the City and State of New York.

4. Upon information and belief, that all times herein, the defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), were and still are employees of The City of New York Police Department as Police Officers (or other ranking officers), and were at all times herein acting within the furtherance and scope of their employment with THE CITY OF NEW YORK. The defendant, CITY OF NEW YORK, is liable and responsible for all of those acts committed by the defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), pursuant to the doctrine of respondeat superior. THE CITY OF NEW YORK expressly and implicitly condoned all of the actions of NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), set forth herein and hereinafter.

5. Upon information and belief, THE CITY OF NEW YORK at all times herein, condoned all of the acts of the defendant, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE

OFFICER GREGES (Tax ID 949061), as herein and hereinafter set forth.

6. Upon information and belief, each and all of the acts of the defendants alleged herein were done by defendants, and each of them, both as individuals, and under the color and pretense of the statutes, ordinances, regulations, customs and usages of the State of New York, City of New York and the County of New York, and under the authority of their office as Police Officers for New York City.

7. Upon information and belief, that on or about July 23, 2011 at approximately 11:15 p.m. on Burnside Avenue and Grand Concourse, City and State of New York, County of New York, although the plaintiff was lawfully and properly at said location, he was forcibly, violently and unlawfully, stopped, frisked, searched in a demeaning manner and assaulted and battered in front of the public, threatened and illegally placed under arrest and imprisoned by the defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), working for and on behalf of THE CITY OF NEW YORK.

8. Upon information and belief the defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), unlawfully accused the plaintiff of crimes and violations and the defendants became

abusive toward the plaintiff without any justification and said accusations were completely false and plaintiff was unlawfully placed under arrest.

9. Upon information and belief, the plaintiff was taken to the New York City Police Department 46th Precinct and was held, under arrest, and imprisoned from approximately July 23, 2011 at approximately 11:15 p.m. through July 24, 2011 at approximately 1:00 a.m.

10. Upon information and belief, during the time the plaintiff was unlawfully held at the aforesaid locations, plaintiff was otherwise forced to undergo great emotional and mental anguish and physical harm, and loss of liberty and freedom and was kept and imprisoned in various cells and handcuffed.

11. Upon information and belief, that on July 24, 2011 at 1:00 a.m., the plaintiff was released and advised that he was free to go.

12. Upon information and belief, all criminal charges were dismissed against the plaintiff in connection with, or in support of the arrest, search, seizure and imprisonment to which plaintiff was subject as set forth herein.

13. Prior to the commencement of this action, on the 13th day of October, 2011 and on the 26th day of January, 2012 Notices of Claim were duly served herein on the defendant. Thereafter, on the

23rd day of January, 2012, the City of New York, conducted a 50-H hearing pursuant to the General Municipal Law. That more than thirty days have expired since the filing of the Notices of Claim and the defendant has failed and neglected to adjust the claim. This action is timely brought.

AS AND FOR A FIRST CAUSE OF ACTION AGAINST THE DEFENDANTS
CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID
948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

14. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "13", above as if fully set forth herein.

15. Upon information and belief, on or about July 23, 2011 at approximately 11:15 p.m. on Burnside Avenue and Grand Concourse, City and State of New York, County of Bronx, while the plaintiff was lawfully and properly at said location, the defendant, **CITY OF NEW YORK**, by and through their employees, defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, approached the plaintiff, detained him and began to assault and search the plaintiff. This search was conducted in a violent and abusive manner during the course of which defendant probed and shoved plaintiff, cuffed and verbally and assaulted, battered and abused plaintiff with the intent and purpose of harming, humiliating and embarrassing plaintiff in the

presence of the public generally, and particularly, the people present at the scene.

16. Upon information and belief, after searching plaintiff's person, as above described, which search did not reveal any incriminatory or dangerous articles defendant placed the plaintiff in handcuffs and compelled the plaintiff to accompany them to and detained at the following locations: the 46th Precinct, Bronx, New York.

17. Upon information and belief, plaintiff was held at the above locations and imprisoned therein, and detained, from approximately July 23, 2011 at 11:15 p.m. through July 24, 2011 at approximately 1:00 a.m. Said imprisonment and confinement was all without probable cause or justification and was all precipitated by the unlawful and improper charges and actions of the New York City Police Department and their employees and said actions of defendants were done intentionally and with malice.

18. Upon information and belief, all criminal charges pressed against plaintiff in connection with, or in support of the arrest, search, seizure, and imprisonment to which plaintiff was subjected as set forth herein and were dismissed, were unjustified and said confinement was, at all times, against the will of the plaintiff. That plaintiff was aware of said imprisonment and confinement and

did not consent thereto. The confinement and imprisonment was not privileged.

19. Upon information and belief, said confinement and imprisonment was without probable cause, was improper and without justification and the plaintiff, **YAW ADDAE's** movements were restricted. This confinement, imprisonment and restriction of the plaintiff's movement was against his will and plaintiff was aware of said confinement, restriction and imprisonment.

20. Upon information and belief, by the reason of the aforesaid **FALSE IMPRISONMENT** of the plaintiff, **YAW ADDAE**, by the defendants, the plaintiff sustained physical, mental and emotional injuries, humiliation, loss of esteem, loss of liberty, loss of freedom, loss of time, loss of enjoyment of life, and is entitled to punitive damages, against **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, and was otherwise injured an amount exceeding the jurisdictional limits of all lower Courts.

AS AND FOR A SECOND CAUSE OF ACTION AGAINST DEFENDANTS
CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID
948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

21. Plaintiff repeats, reiterates and realleges each and every allegation number "1" through "20" above, as if fully set forth herein.

22. Upon information and belief, on or about July 23, 2011 at approximately 11:15 p.m. on Burnside Avenue and Grand Concourse, City and State of New York, County of Bronx, while the plaintiff was lawfully and properly at said location, the defendant, **CITY OF NEW YORK**, by and through their employees, defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, did falsely arrest the plaintiff.

23. Upon information and belief, at all times herein, the defendants, **CITY OF NEW YORK**, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, did assert proper legal authority to detain and arrest the plaintiff, and the plaintiff reasonably believed that the defendants did have the power to hold him against his will.

24. Upon information and belief, said arrest was without probable cause, improper and without justification, and the plaintiff, **YAW ADDAE's**, movement was restricted and confined.

25. Upon information and belief, the aforesaid arrest and restriction of plaintiff's movements was against his will and plaintiff was aware of said arrest and restrictions and confinement against his will.

26. Upon information and belief, said arrest was improper, unlawful and without proper justification and without probable cause.

27. Upon information and belief, at all times herein, the aforesaid false arrest by the defendants was made with malice and the defendants did intend to falsely arrest the plaintiff.

28. Upon information and belief, by reason of the **FALSE ARREST** of the plaintiff, **YAW ADDAE**, by the defendants, **CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, the plaintiff sustained physical, mental and emotional injuries, humiliation, loss of esteem, loss of liberty, loss of time, loss of enjoyment of life and is entitled to punitive damages against **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, and was otherwise damaged all an amount exceeding the jurisdictional limits of all lower Courts.

AS AND FOR A THIRD CAUSE OF ACTION AGAINST DEFENDANTS
CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID
948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

29. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "28", above as if fully set forth hereinafter.

30. Upon information and belief, the defendant, **CITY OF NEW YORK**, owed a duty to the general public to sufficiently train and educate their police officers.

31. Upon information and belief, the aforesaid police officers, defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, were not sufficiently trained and experienced in carrying out their duties as New York City Police Officers. In addition, upon information and belief, the defendant, **CITY OF NEW YORK**, was further negligent in hiring and retaining **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, as employees despite having actual and or constructive notice that said employees were unfit and not qualified to carry out their duties as Police Officers, and possessed violent propensities.

32. Upon information and belief, that **THE CITY OF NEW YORK** was negligent, careless and reckless in not sufficiently training their police officers and that all of the aforesaid defendants did not perform a proper investigation before committing the aforesaid conduct, and in negligently hiring and retaining defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY**

POLICE OFFICER GREGES (Tax ID 949061), and the defendants were otherwise negligent.

33. That as a direct and proximate result of the defendant, THE CITY OF NEW YORK's negligence, including, but not limited to: Their failure to properly and adequately train their police officers, and of the negligence of the defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), all of the aforesaid tortious conduct was committed upon the plaintiff causing him serious and severe physical and emotional injuries.

34. By reason of the aforesaid NEGLIGENCE of defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), the plaintiff, YAW ADDAE, did suffer shock, mental distress, emotional stress, material loss, emotional damages, loss of esteem, humiliation, loss of enjoyment of life, loss of liberty, loss of time and physical damage, all in an amount exceeding the jurisdictional limits of all lower Courts.

AS AND FOR A FOURTH CAUSE OF ACTION AGAINST DEFENDANTS CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

35. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "34", above as if fully set forth hereinafter.

36. Upon information and belief, during all the times herein, the individual defendants, and each of them, separately and in concert, acted under the cover of law and statutes, ordinances, regulations, customs and usages of the State of New York, County of Bronx, City of New York.

37. Upon information and belief, each of the defendants, separately and in concert engaged in illegal conduct herein before and herein after mentioned to the injury of the plaintiff and deprived plaintiff of the rights, privileges and immunities, secured to the plaintiff by the constitution of the United States, and Federal Laws of the United States. The defendants, in imprisoning and arresting the plaintiff deprived the plaintiff of his constitutional rights and annuities secured by the United States Constitution and freedom from illegal seizure, illegal search, fear from legal detention, coercion and intimidation, all secured by the Constitution of the United States and 42 United States Code Section 1983. The defendants acted knowingly and purposely with the specific intention to deprive the plaintiff of his aforementioned rights.

38. Upon information and belief, the actions and conduct described herein by **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, and the New York City Police Department constituted and

demonstrates an official unconstitutional policy and custom of abuse and misconduct by the New York City Police Department, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, constituted a continuing pattern of abuse and misconduct by the New York City Police Department, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, and said misconduct and official unconstitutional policy caused plaintiff to be subjected to and deprived his constitutional rights.

39. Upon information and belief, at all times herein, the defendant, **CITY OF NEW YORK**, condoned the above unconstitutional conduct by its police officers as is demonstrated and documented by the substantial and reoccurring amount of 42 USC § 1983 claims filed against the **CITY OF NEW YORK** and this official New York City unconstitutional pattern of behavior has been demonstrated on several occasions by both the New York City Police and other investigations.

40. Upon information and belief, as a direct and proximate result of the aforesaid, the plaintiff suffered physical and mental injuries and anguish, public scorn, humiliation, loss of esteem, loss of liberty, loss of time, loss of enjoyment of life, and the plaintiff was otherwise damaged, all in an amount exceeding the jurisdictional limits of all lower Courts.

41. Plaintiff hereby demands compensation and punitive damages together reasonable attorneys fees pursuant to 42 United State Code Section 1983 and other Civil Rights Statutes.

AS AND FOR FIFTH CAUSE OF ACTION AGAINST DEFENDANTS
CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID
948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

42. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "41", above as if fully set forth hereinafter.

43. Upon information and belief, on or about July 13, 2011 at approximately 11:15 p.m. on Burnside Avenue and Grand Concourse, City and State of New York, County of Bronx, while the plaintiff was lawfully and properly at said location, the defendant, **CITY OF NEW YORK**, by and through their employees, defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, civilly assaulted the plaintiff, **YAW ADDAE**.

44. Upon information and belief, at all times herein, the defendant, **CITY OF NEW YORK**, and the defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, placed the plaintiff, **YAW ADDAE**, in imminent fear of violent contact.

45. Upon information and belief, the defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), acts were intentional and made with malice all against the plaintiff, YAW ADDAE.

46. Upon information and belief, at all times herein, the plaintiff was aware of the defendants' actions, and the plaintiff was aware of the fear and threat of the imminent offensive violent contact.

47. Upon information and belief, by reason of CIVIL ASSAULT of the plaintiff, YAW ADDAE, by the aforesaid defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), YAW ADDAE, sustained personal injury, physical, mental and emotional injuries and plaintiff demands punitive damages and was otherwise damaged in an amount exceeding the jurisdictional limits of all lower Courts and demands punitive damages against NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061).

AS AND FOR A SIXTH CAUSE OF ACTION AGAINST DEFENDANTS
CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID
948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

48. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "47", above as if fully set forth hereinafter.

49. Upon information and belief, on or about July 23, 2011 at approximately 11:15 p.m. on Burnside Avenue and Grand Concourse, City and State of New York, County of Bronx, while the plaintiff was lawfully and properly at said location, the defendant, CITY OF NEW YORK, by and through their employees, defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), civilly battered the plaintiff, YAW ADDAE.

50. That at the aforesaid time and place the defendant, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), did batter the plaintiff by subjecting the plaintiff, YAW ADDAE, to offensive bodily conduct including, but not limited to, putting the handcuffs on plaintiff's wrists which were excessively tight and conducting an improper, unnecessary and illegal and humiliating strip search of plaintiff.

51. Upon information and belief, the plaintiff, **YAW ADDAE**, never consented to said contact, nor was said contact justified or privileged.

52. Upon information and belief, the aforesaid battery by the defendants upon the plaintiff was made intentionally and with malice, all against the plaintiff's will, and the plaintiff was fully aware of said battery.

53. Upon information and belief, by reason of the **CIVIL BATTERY** of the plaintiff, **YAW ADDAE**, by the defendants, **CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, the plaintiff, **YAW ADDAE**, sustained serious and severe personal, physical, mental and emotional injuries, and plaintiff demand punitive damages, and was otherwise damaged all in an amount exceeding the jurisdictional limits of all lower Courts and plaintiff demands punitive damages against **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**.

AS AND FOR A SEVENTH CAUSE OF ACTION AGAINST DEFENDANTS, CITY OF
NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and
NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

54. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "53", above as if fully set forth hereinafter.

55. Upon information and belief, on or about July 23, 2011 at approximately 11:15 p.m. cr. Burnside Avenue and Grand Concourse, City and State of New York, County of Bronx, while the plaintiff was lawfully and properly at said location, the defendants, **CITY OF NEW YORK**, by and through their employee, defendant, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, did intentionally inflict emotional harm upon the plaintiff, **YAW ADDAE** and/or acted with a complete disregard of the substantial probability of causing severe emotional distress to plaintiff, **YAW ADDAE**.

56. Upon information and belief, that at the aforesaid time and place the defendants, **CITY OF NEW YORK**, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, did batter and assault the plaintiff in the presence of the public in an effort to humiliate and otherwise intimidate and embarrass plaintiff by subjecting the plaintiff, **YAW ADDAE**, to offensive bodily conduct.

57. Upon information and belief, the plaintiff, **YAW ADDAE**, never consented to said contact, nor was said contact justified or privileged.

58. Upon information and belief, the aforesaid intentional infliction of emotional harm by the defendants upon the plaintiff

was made intentionally and with malice, all against the plaintiff's will, and the plaintiff was fully aware of same.

59. Upon information and belief, the actions performed by defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), were so shocking and outrageous that they exceeded all reasonable bounds of decency and constituted extreme and outrageous conduct.

60. Upon information and belief, there was a causal connection between the outrageous conduct described herein by defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), and plaintiff, YAW ADDAE's severe emotional distress and injuries.

61. Upon information and belief, the above actions conducted by the defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), caused severe emotional distress to plaintiff.

62. Upon information and belief, the above actions of defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), were done with the desire to cause such severe stress to

plaintiff under circumstances known to defendants, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), which made it substantially certain that the result would follow and acted recklessly with utter disregard of the consequences that might follow.

63. Upon information and belief, by reason of the INTENTIONAL INFLICTION OF EMOTIONAL HARM of the plaintiff, YAW ADDAE, by the defendants, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061), the plaintiff, YAW ADDAE, sustained serious and severe personal, physical, mental and emotional injuries, and plaintiff demand punitive damages, and was otherwise damaged all in an amount exceeding the jurisdictional limits of all lower Courts and plaintiff demands punitive damages against NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061).

AS AND FOR AN EIGHTH CAUSE OF ACTION AGAINST DEFENDANTS, CITY OF NEW YORK, NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904) and NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)
ON BEHALF OF PLAINTIFF, YAW ADDAE

64. Plaintiff repeats, reiterates and realleges each and every allegation numbered "1" through "63", above as if fully set forth hereinafter.

65. Upon information and belief, on or about July 23, 2011, the defendant, **THE CITY OF NEW YORK**, by their employees, the defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, falsely and maliciously accused the plaintiff, **YAW ADDAE**, of crimes and violations.

66. Upon information and belief, said charges were brought against the plaintiff, **YAW ADDAE**, with malice.

67. Upon information and belief, there was no probable cause for bringing said charges against the plaintiff and said charges were false.

68. Upon information and belief, all charges were dismissed against the plaintiff on September 30, 2011 and December 21, 2011.

69. Upon information and belief, the above actions of the defendants, **THE CITY OF NEW YORK**, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, constitute malicious prosecution by the defendants, all against the plaintiff, **YAW ADDAE**.

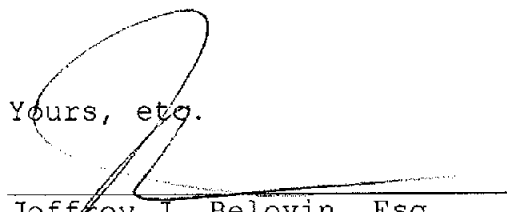
70. By reason of the foregoing **MALICIOUS PROSECUTION** the plaintiff, **YAW ADDAE**, sustained personal, physical, mental and emotional injuries, loss of esteem, shock, humiliation, embarrassment, loss of liberty, loss of time, loss of enjoyment of

life and was otherwise damaged, together with punitive damages, all in a sum exceeding the jurisdictional limits of all lower Courts.

WHEREFORE, plaintiff demands judgement against the defendants jointly and severally, in an amount exceeding the jurisdictional limits of all lower Courts on the First Cause of Action and in amount exceeding the jurisdictional limits of all lower Courts on the Second Cause of Action and in amount exceeding the jurisdictional limits of all lower Courts on the Third Cause of Action and in amount exceeding the jurisdictional limits of all lower Courts on the Fourth Cause of Action and in amount exceeding the jurisdictional limits of all lower Courts on the Fifth Cause of Action and in an amount exceeding the jurisdictional limits of all lower Courts on the Sixth Cause of Action and in an amount exceeding the jurisdictional limits of all lower Courts on the Seventh Cause of Action and in an amount exceeding the jurisdictional limits of all lower Courts on the Eighth Cause of Action, plus punitive damages against defendants, **NEW YORK CITY POLICE OFFICER DONATO (Tax ID 948904)** and **NEW YORK CITY POLICE OFFICER GREGES (Tax ID 949061)**, in the amount exceeding the jurisdictional limits of all lower Courts together with costs, interest and disbursements of this action, and together with such other and further relief as to this Court may seem just and proper.

Dated: Bronx, New York
April 2, 2012

Yours, etc.



Jeffrey J. Belovin, Esq.
BELOVIN & FRANZBLAU, LLP
Attorneys for Plaintiff(s)
2311 White Plains Road
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(718) 655-2900

VERIFICATION

State of New York)

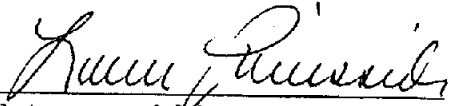
ss:

County of Bronx)

Yaw Addae, being duly sworn, deposes and says: That (s)he is the plaintiff in these proceedings; that (s)he has read and knows the contents of the above **VERIFIED COMPLAINT** and that the same is true to her/his own knowledge except as to the matters therein stated to be alleged upon information and belief, as to those matters, (s)he believes them to be true.

Yaw Addae

Sworn to before me on
April 2, 2012



Notary Public

LAURA PANISSIDI
Notary Public, State of New York
No. 01PA5017882
Qualified in Bronx County
Commission Expires September 13, 2013